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**COUNSEL TO THE OFFICIAL
COMMITTEE OF UNSECURED CREDITORS**

**THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:

VALUEPART, INCORPORATED
DEBTOR.

§
§
§ Case No.: 16-34169-HDH-11
§ Chapter 11
§

**MOTION FOR EXPEDITED CONSIDERATION OF
MOTION TO COMPEL PAYMENT OF PROFESSIONAL FEES**

Kane Russell Coleman Logan PC ("KRCL"), counsel to the Official Committee of Unsecured Creditors, on behalf of itself and Lain, Faulkner & Co., P.C. ("Lain Faulkner"), files this *Motion for Expedited Consideration of Motion to Compel Payment of Professional Fees* (the "Motion") on KRCL's Motion to Compel Payment of Professional Fees ("Motion to Compel"), and in support thereof would respectfully show the Court the following:

**I.
JURISDICTION & VENUE**

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper under 28 U.S.C. §§ 1408 and 1409. This is a core proceeding under 28 U.S.C. § 157(b)(2).

**II.
FACTUAL AND PROCEDURAL BACKGROUND**

2. On February 9, 2018, KRCL filed its Motion to Compel on behalf of itself and Lain

Faulkner due to Debtor's failure to remit payments to KRCL and Lain Faulkner pursuant to the following orders entered by the Court on January 9, 2018: (i) *Order Granting Third Interim and Final Fee Application of Kane Russell Coleman Logan PC, Counsel to the Official Committee of Unsecured Creditors, Seeking Payment for Services Performed and Costs Incurred from June 1, 2017 through October 31, 2017* [Docket No. 807]; and (ii) *Order Granting Third Interim and Final Fee Application of Lain Faulkner & Co., PC, Financial Advisor to the Official Committee of Unsecured Creditors, Seeking Payment for Services Performed and Costs Incurred from June 1, 2017 through October 16, 2017* [Docket No. 808] (together, the "Final Orders").

3. Despite repeated requests for payment, including not less than four emails, three phone calls, and multiple in-person requests to Debtor's counsel, the Debtor refuses to issue payment mandated by the Final Orders. On February 6, 2018, KRCL provided Debtor's counsel with a draft of this Motion and an additional request for payment. KRCL did not receive a response. As a result, KRCL and Lain Faulkner were left with no choice but to seek Court intervention to cause the Debtor to satisfy its obligations.

III. RELIEF REQUESTED

4. KRCL requests that the Court grant this Motion and permit the Motion to Compel to be heard on an expedited basis.

5. KRCL has given notice to Debtor's counsel regarding expedited consideration of the Motion to Compel. Debtor's counsel did not respond.

6. Under the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas and the *Order Granting Chapter 11 Complex Case Treatment* [Docket No. 35], objecting parties would normally have twenty four (24) days to file responses or objections to the relief requested in the Motion to Compel. In this situation, however, KRCL requests that a hearing on the Motion to Compel be set at the Court's next available hearing date. KRCL proposes that any party objecting to the relief requested in the Motion to Compel may be made at the hearing.

7. No party in interest will be prejudiced by having the Motion to Compel heard on an expedited basis at the Court's next available hearing date.

**IV.
PRAYER**

WHEREFORE, for the reasons set forth above, KRCL respectfully requests that the Court grant this Motion, set a hearing to consider the Motion to Compel on an expedited basis on the Court's next available hearing date, and grant KRCL such other and further relief that the Court deems just and proper.

DATED: February 9, 2018

Respectfully submitted,

KANE RUSSELL COLEMAN LOGAN PC

By: /s/John J. Kane
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**COUNSEL TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS**

CERTIFICATE OF CONFERENCE

I hereby certify that on February 5, 2018, I conferred with counsel for the Debtor regarding this Motion to Compel, and again requested immediate payment of all fees due and owing. On February 6, 2018, I provided a draft of this Motion to Debtor's counsel and inquired whether Debtor's counsel would oppose an expedited hearing on this matter. Debtor's counsel did not respond. Accordingly, I believe the filing of this Motion remains necessary.

By: /s/John J. Kane
John J. Kane

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2018, a true and correct copy of the foregoing *Motion for Expedited Consideration on Motion to Compel Payment of Professional Fees* was served via the Court's Electronic Case Filing system, and via First-class mail, postage pre-paid on the proposed Official Service List attached hereto.

/s/John J. Kane
John J. Kane